

NOTE F.

PROPOSED GENERAL FISHERY AND FUR COMPANY.

No. 1.—SIR ALEXANDER MACKENZIE TO LORD HOBART.

(*Canadian Archives, Series Q., Vol. 90, p. 37.*)

NORFOLK STREET 7th Jan. 1802.

MY LORD,—In obedience to Command, I have now the honour of transmitting to Your Lordship, inclosed, a Project of "Preliminaries to the establishment of a permanent Fishery & Trade in Furs &c in the interior & on the West Coast of "North America"—expressive of the result of my experience & deliberation on that great National object.

It will require some management to mediate the Coalition of the two Companies at Montreal in such a manner as to fix the System of Enterprise necessary for carrying the combination of the Fishery and Fur Trade into effect, as some of the oldest members are likely to prefer continuing in the Beaten track. Let *such* be at full liberty to do as they please; but if Government should think fit to confide to me the *licences* in question for the behooff of such as shall accede, & at the same time to recommend it to the Governor of Canada to countenance me in my endeavours to bring it about, as a measure which has the sanction of, & will be protected by Government; I have not the least doubt of succeeding with all those, whose *personal* exertions are essential; indeed, infinitely more essential than the Capital of the others, since the former can only be replaced by Juniors successively growing up in the Service, during a period of six to ten years; whereas the latter, and any larger sum that may be found to be necessary or employed to advantage, can be raised at any time by recurring to London, and might be raised in London before my departure, were it not thought that those already in trade at Montreal ought to have the preference, and others only the accession to it.

I intend to embark on my return to America, towards the end of the Month; and if there is any service, which I may be deemed capable of there performing, it will give me pleasure to take charge of it.

I have the honour to be, My Lord,

Your Lordship's Devoted & most faithfull Hble Servant

ALEX. MACKENZIE.

Enclosed.

PRELIMINARIES

to the Establishment of a permanent British Fishery & trade in Furs &c. on the Continent & West Coast of North America.

(p. 39.)

Articles

1.

To form a supreme Civil & Military Establishment, on the centrally situated and Navally defensible Island of Nootka, at King George's Sound Lat. 50° North, with two subordinates, one in the River Columbia late 46° & the other on *Sea Otter Harbour* Lat. 55 North.

7a—10½

Observations

1.

Priority of occupation vesting sovereignty in the possessor, no time to be lost.

Vide Treaty with Spain of 1790.

2.

Either to repeal so much of the Acts of Parliament now in force, as vest in the East India Company or South Sea Company jointly or separately, an exclusive Right of Fishery Trade & Navigation, in the Pacific Ocean & on the West Coast of North America;

or

to obtain from both or either of those Companies, a *Licence* irrevocable and unlimited, there to Fish Trade and Navigate in their or its Right and to Establish Factors, or Agents at Canton in China and any other Port, or place within the limits of their Charters, for the Direct Sale & Barter of the Exports & Imports, from & to the West Coast of North America, to & with the people of China & others, there residing or trading at the time; as fully & freely as both or either of these Companies might do, if they themselves carried on the said fishery trade & navigation; namely, during the yet unexpired term of their charters; and those Charters not to be renewed, but either with the entire exception of the said Fishery Trade & Navigation; or under a legal obligation to continue the Licences now to be granted for the whole term of their duration.

3.

To obtain from the Hudson Bay Company, If it has legal power to grant or refuse it, a *Licence of Transit*, irrevocable and unlimited; for all Goods Wares & Merchandise, the growth, produce & Manufacture of Great Britain & of America, in & outwards, through all the Seas, Bays, Ports, Rivers, Lakes and Territories, within the Limits of its Charter, in their passage *directly between Great Britain & North America*, without being subject to any visitation or Search nor to any duty or charge, to which those of the Company itself are not liable; the Consignee, say the Resident agent at York & Churchill Factories, or Conductors of every transport delivering to the Governor, or other officer representing the Company in chief, at the first Port or place of Entry into the limits or jurisdiction of the Company a Manifest of the Marks, Numbers & Contents of the several packages, Chests &c. upon oath to be administered to him by the said Governor or officer in chief, who, within twenty-four hours after such Manifest has been

2.

On the ground that neither of these Companies have exercised this Fishery & Trade, and that the East India Company is under a legal obligation to Grant such a Licence, unless cause to the contrary, allowed to be good by the Board of Control can be assigned.

V. Act of Par. 33 Geo. III, Ch. 52, sec. 78.

3.

On the ground that the Right of transit between the Mother Country & her Colonies, through her own proper Territory & Colonies, is an Attitude of sovereignty, neither surrendered, nor meant to have been surrendered to the Hudson Bay Comp'y according to its Charter, the exercise of which is not deniable on any principle of Political Economy; while it is necessary, and would be highly beneficial, as being the shortest way to & from Countries without its limits for the purpose of facilitating the intercourse between Great Britain & these Countries, in the Exchange of the Manufactures of the former for the raw products of the latter.

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to him tendered shall return the same to the said Consignee or Conductor, indorsed with his Visa & Signature, under the seal of the Company, to serve as a passport, producible at every, but not questionable by any other station of the Company, commonly called Trading Houses, interiorly or exteriorly by any Governor or other officer or servant of the Company within the limits of their jurisdiction.

4.

To grant these Licences to a Company of British Merchants, to be established in London under the name of "The Fishery & Fur Company" which Company for the purpose of combining the Fishery in the Pacific with the Fur Trade of the Interior from the East to the West Coasts of the Continent of North America, would at once equip Whalers in England, & by means of the establishments already made and in activity, at Montreal in the East & advanced posts & Trading Houses in the Interior towards the West Coast to which they might be extended & where other establishments to be made at King George Sound Nootka Island, under the protection of the supreme Government; & on the River Columbia and at *Sea Otter Harbour*, under the protection of the subordinate Government of those places would open & Establish a Commercial Communication, through the Continent of North America between the Atlantic & Pacific Oceans, to the incalculable advantage & furtherance both of the Pacific Fishery & American Fur Trade of Great Britain, in part directly & in part indirectly through the Channel of the possessions & Factories of the East India Company in China &c., it being perfectly understood, that none of these Maritime or inland Establishments shall be made on territory in the possession of any other European Nation, nor within the limits either of the United States of North America or of the Hudson's Bay Company.

4.

There are at present, *vide* Mackenzie's Voyages, two Companies at Montreal, engaged in the North American Fur Trade, both of which are chiefly composed of men, who by personal exertions, no less hazardous than laborious & persevering, have contributed to the extension of it into formerly unknown parts; and who, if not the only men able to extend it to the Pacific, are at least the most likely to succeed, as the best qualified to undertake it. These Companies have not heretofore had any idea of embarking in the Pacific Fishery, but if they should succeed in combining the Fur Trade of the East with that of the West they would find it highly beneficial to combine the latter, if not both, with the Whale Fishery, and in so far as they may not be possessed of a Capital sufficient for carrying on both the Fishery & Fur Trade, they would be at no loss for Partners in London who would raise the deficiency.

The Whalers might carry out from England all the British articles Saleable or rather barterable for the furs and other Products of America, & bring back such part of the latter as would best suit the British Market; while other vessels of such a size & construction as may be found best adapted might be employed to carry the samples to Canton & such other of the Settlements of the East India Company, as offer the best Market, in the way either of Sale or Barter.

But as it is obvious that the two Companies already embarked in the Fur Trade from Montreal, including their several connections in London, must find their interest in coalescing, may that the great national object in view, in the first instance, if not wholly unattainable without, will at least be best attainable through, a voluntary connection & consolidation of the two Companies into one for such a number of years & on

such other terms as they may agree upon ; so is there not the least reason to doubt ; That under such Licences 1st of Fishing Trade & Navigation & 2nd of Transit, they would unite themselves & succeed equally to their own proper & to the public advantage.

LONDON 7th January 1802

ALEX. MACKENZIE.

No. 2.—SIR ALEXANDER MACKENZIE TO JOHN SULLIVAN.

(*Canadian Archives, Series Q., Vol. 293, p. 225.*)

MONTREAL 25th October, 1802.

SIR,—My Lord Hobart having done me the honour at parting, to express a wish of hearing from me, on this side the Atlantic, I take the liberty of addressing you, enclosing copies of two papers, which, on the substance of which, I presume will be transmitted through the Lieut. Governor, tho' not perhaps immediately, and which I beg leave to request, that you will please with this to lay before His Lordship. The papers will explain themselves, and I am sorry to say shew that I have not succeeded ; as also evince the improbability of my being able to succeed in bringing about the union between the two Fur Companies which my Lord Hobart so strongly recommended to me as the first step towards the accomplishment of my favourite project : Without the aid of Government, by granting the Licences (I had the honour of proposing) to one of the contending parties, with the condition that the other party should have the option of sharing, in the proportion of the Trade they might be carrying on, to that part of His Majesty's Dominions, I see no means of bringing about a coalition, for several years to come, by which time the Trade may be reduced if not ruined, and the opportunity of making the Western Establishment lost perhaps for ever.

I have conversed with General Hunter upon the subject and though averse to Monopolies of any kind, he agreed with me that no mode would answer to carry on that trade to advantage & to make the proposed Establishments, but through a Chartered Company. I had no promise from His Excellency that he would communicate this his opinion to His Majesty's Ministers.

As so little probability exists of bringing about in a reasonable time a Voluntary Coalition of the two Fur Companies, may I be permitted to submit to His Lordship's consideration, the expediency of securing at all events in a National point of view the means of hereafter giving efficiency to the favourite project alluded to, or any other which Government may think it eligible to countenance, by forming an immediate Military Establishment upon the Western Coast of North America, so as to prevent other nations anticipating us in an object, the importance of which cannot at present be foreseen in all its consequences.

And further I cannot too strongly entreat His Lordship's attention to the propriety & necessity of establishing as speedily as possible such a jurisdiction as shall prevent the contending Fur Companies from abusing any power which superiority of numbers or strength may accidentally confer, and which shall seem to each, the fruits of fair harvest and industrious exertion.

A jurisdiction possessing such efficient Judicial Control, besides having the most beneficial effects in general, might also be a means of promoting a speedier Voluntary Coalition of the Companies, by preventing a recurrence of those causes of increasing animosity which tend to keep them asunder.

It will not escape His Lordship's penetration, that in any Legislative interference upon the subject, it will be essential to avoid everything which could be

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construed to confer upon the Hudson's Bay Company a Parliamentary sanction in regard to their doubtful charter, or which could give them the right of checking commercial enterprise from this quarter by the usual inland routes into any Territory which Traders from hence have been accustomed to occupy; although the same may nominally be included in the limits of the said Charter.

I had the honour of remarking to my Lord Hobart that an attempt had been made by one of the partners in the old Fur Company to penetrate in a more Southern direction than I did to the River Columbia in which he failed through ill health; a second attempt has been made by another partner of the same concern with no better success, owing to a mutiny of the men employed, arising as I judge from the want of an appropriate Talent for such an undertaking in the leader. I have been credibly informed that the Astronomer who went upon both expeditions declares positively that the object is not impracticable.

The communication to the Lieut. Governor through Mr. Ryland is clearly and decidedly the sentiments of the principal people of the new company of whom Mr. Richardson is one & a most valuable, active & respectable Magistrate of this City.

I have the honour to be with much respect,

Your Devoted and faithful Humble servant

ALEX. MACKENZIE.

(For enclosures, "John Richardson to H. W. Ryland" see Note E, No. 2 and "Presentment of the Grand Jury of Montreal," Note E, enclosure B.)